



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 09/992,610 Confirmation 7580
Applicant: Hadala, Anthony Customer No. 000045021
TC A/U: 2856
Filed: 19 November 2001
Title: A Temperature-Sensing Device for Determining the Level of a Fluid
Examiner: Jackson, A.
Docket: 1181-01

Box 1450
Commissioner for Patents
2900 Crystal Drive
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Declaration of John J. Staunton

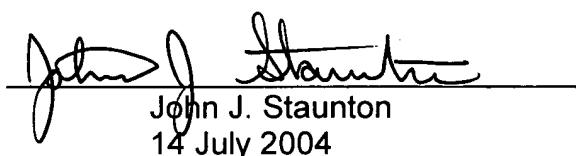
1. I state that my name is John J. Staunton.
2. I am an employee of Great Brewing Company of Cleveland, Ohio.
3. In the course of my employment I diagnose and remedy problems relating to the storage, handling, and dispensing of carbonated beverages.
4. I have over ten years experience relating to the storage, handling, and dispensing of carbonated beverages.
5. I have a Bachelor of Arts degree from Kent State University in Kent, Ohio.
6. That I performed a series of experiments at the request of Anthony Hadala the named inventor of the above-identified patent application.
7. I obtained two Standard American beer kegs (15.5 U. S. gallons capacity) provided by Great Lakes Brewery of Cleveland, Ohio and containing Dortmunder TM Gold beer.
8. The beer kegs are designated K1 and K2.
9. A strip S1 according to the above-identified patent application (hereinafter the patent application) is attached to the outer surface of each of kegs K1 and K2 in the manner and method of use described therein. A second strip S2 obtained as Accu-Level Propane Tank Gauge and approximating the strip described in United States patent

4,358,955 is attached to the outer surface of each of kegs K1 and K2. In each case the strips S1 and S2 are positioned to straddle the liquid and headspace regions of the kegs K1 and K2 lengthwise.

10. The amount of liquid beer in kegs K1 and K2 at the start of the experiment is 15.5 U. S. gallons as measured utilizing the strip S1 at a time T1.
11. The temperature of the cooler in which the kegs K1 and K2 are stored is 38° F and each keg K1 and K2 is at the equilibrium temperature of the cooler.
12. The keg K1 is connected to a CO₂ source and the gas pressure is maintained at 12 psi gauge from the CO₂ source at all times material to the experiment.
13. Eight U. S. gallons of beer is drawn from the keg K1 (verified by volume measurement of the beer withdrawn).
14. The liquid level of the beer in keg K1 is then measured at a second time T2 utilizing strip S1.
15. The liquid level of the beer in the keg K1 at T2 as determined by the strip S1 is 7.5 U. S. gallons (verified by volume measurement of the beer withdrawn).
16. The keg K1 is then agitated to approximate handling that is common to taverns.
17. The liquid level in the keg K1 is then measured at a third time T3.
18. The liquid level in the keg K1 at T3 as determined utilizing the strip S1 is 7.5 U. S. gallons.
19. At no time was the strip S2 able to measure the liquid level in the keg K1.
20. The keg K2 is connected to a CO₂ source and the gas pressure to the keg K2 is 12 psi gauge.
21. Eight U. S. gallons of beer is drawn from the keg K2 (verified by volume measurement of the beer withdrawn).
22. The CO₂ source is then disconnected from the second keg K2.

23. The liquid level in keg K2 is then measured at a second time T2.
24. The liquid level in the keg K2 at T2 as determined by the strip S1 is 7.5 U. S. gallons (verified by volume measurement of the beer withdrawn).
25. The keg K2 is then agitated to approximate to the same degree as keg K1.
26. The liquid level in the keg K2 is then measured a third time T3.
27. The liquid level in the keg K2 at T3 as determined utilizing the strip S1 is 9.0 gallons.
28. At no time was the strip S2 able to measure the liquid level in the keg K2.
29. I conclude based on the above experiment that if there is no external source of CO₂ supplied to a beer keg that an otherwise functioning temperature measuring strip will erroneously report the volume of liquid in an agitated keg as greater than the actual volume in that keg.
30. That the statements I make herein are true, and if made upon information and belief are believed to be true.
31. That further the declarant sayeth not.

I, John J. Staunton, hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under SECTION 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



John J. Staunton
14 July 2004

This declaration was prepared by
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